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Although most cemeteries are private or charitable in nature, nevertheless where there is a clear public profession and where the undertaking is on a strictly business basis the calling is no doubt a public one. See *Evergreen Cemetery Association v. Beecher*, 53 Conn. 551, 553, 5 Atl. 353. Thus such corporations have by statute been given the right to acquire property by eminent domain. See *Wolford v. Crystal Lake Cemetery Association*, 54 Minn. 440, 445, 56 N. W. 56; *Rosehill Cemetery Co. v. Hopkinson*, 114 Ill. 209, 214, 29 N. E. 685. Unless the corporation in the principal case is private or charitable, which does not appear clearly from the facts, the case would seem a proper one for issuing a writ of mandamus.

RAILROADS — LIABILITY FOR FIRES — VALIDITY OF STIPULATIONS AGAINST LIABILITY FOR NEGLIGENCE. — Buildings of an ice company were destroyed by fire through the negligence of a railroad in operating a siding. The siding was on the railroad's right of way and in its control although constructed originally to accommodate the ice company. In an action for damages, the railroad claimed exemption from liability by virtue of a special contract. *Held*, that the contract is against public policy. *Stoneboro & Chautauqua Lake Ice Co. v. Lake Shore & Michigan Southern Ry. Co.*, 86 Atl. 87 (Pa.). See NOTES, p. 742.

RECORDING AND REGISTRY LAWS — EFFECT OF RECORDING: IN GENERAL — ADVERSE POSSESSION UNDER UNRECORDED DEED. — A. who had long been in adverse possession of certain land, obtained, before the statute of limitations had completely run in his favor, a deed to the premises from the owner, B., which he never recorded. A. continued to hold for the full period of the statute of limitations and soon after died. C., entering upon the land, obtained a second deed from B., recorded it and sold the land to a purchaser for value without notice. A.'s heirs now claim the property. *Held*, that they are entitled as against the *bonâ fide* purchaser. *Winters v. Powell*, 61 So. 96 (Ala.).

As a general rule recording acts do not protect the purchaser of a good record title against one who has acquired a title through adverse possession, whether the adverse possessor was occupying at the time of the purchase or not. *Hughes v. Graves*, 39 Vt. 359; *Schall v. Williams Valley R. Co.*, 35 Pa. St. 191. The majority of the court in the principal case decided that one can hold adversely although holding under an unrecorded deed. Although no cases exactly in point have been found, this would seem to be contrary to the general effect of recording statutes as construed by the courts, the purpose of recording statutes being only to give notice. As between the original parties and as against any person not expressly protected by the words of the statute, it seems settled that an unrecorded deed is an effective conveyance, recording not being necessary as a part of its execution. *Sidle v. Maxwell*, 4 Oh. St. 236; *Aubuchon v. Bender*, 44 Mo. 560. The Alabama courts have themselves adopted this view. See *Wood v. Lake*, 62 Ala. 489, 492. After the delivery of the unrecorded deed therefore, the grantee's possession could not be adverse, and rights under the unrecorded deed should be inferior to those of the *bonâ fide* purchaser of the record title.

RESTRAINT OF TRADE — SHERMAN ANTI-TRUST ACT — MONOPOLY A CONTINUING OFFENSE. — The defendants were indicted for a monopoly in violation of the Sherman Act. The unfair acts on which the monopoly was built up were committed more than three years prior to the indictment. *Held*, that the three-year statute of limitations is not a bar. *United States v. Patterson*, 201 Fed. 697 (Dist. Ct., S. D. Ohio).

In the Standard Oil case, unfair acts committed prior to the passage of the Sherman Act were used to throw light on the intent with which the combination